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Attorneys for Plaintiff
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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARCUS JAMES TATUM,

Defendant.

CASE NO. 1:20-CR-00255-ADA-BAM

STIPULATION TO 1) SET CHANGE OF PLEA
HEARING, AND 2) VACATE TRIAL DATE AND
TRIAL CONFIRMATION HEARING; ORDER

THE PARTIES HEREBY STIPULATE, through their respective counsel, Assistant United States Attorney, Brittany M. Gunter, on behalf of the government, and Monica L. Bermudez, on behalf of defendant Marcus James Tatum (“the defendant”), that: 1) a change of plea hearing be set for Monday, December 11, 2023; and 2) this action’s January 30, 2024, trial date and January 16, 2024, trial confirmation hearing be vacated.

The parties base this stipulation on good cause and therefore ask the Court to endorse this stipulation by way of formal order.

1. The parties reached an agreement resolving this case. The terms of the agreement are memorialized in a signed plea agreement filed on November 22, 2023. Dkt. 41.

2. The parties have since conferred about available dates wherein they could both appear at a change of plea hearing. The parties have also cleared Monday, December 11, 2023, with the Court. In light of these efforts, the parties ask the Court to endorse their stipulation to set a change of plea hearing for Monday, December 11, 2023.

3. The parties likewise ask the Court to vacate this action's previously scheduled January 30, 2024, trial date and January 16, 2024, trial confirmation hearing,.

4. Pursuant to relevant provisions of 18 U.S.C. § 3141, the parties previously obtained a waiver of time in this action through January 30, 2024, as set forth in the Court's order dated February 27, 2023. Dkt. 37.

IT IS SO STIPULATED.

Dated: November 28, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ BRITTANY M. GUNTER
BRITTANY M. GUNTER
Assistant United States Attorney

Dated: November 28, 2023

/s/ MONICA L. BERMUDEZ
MONICA L. BERMUDEZ
Counsel for Defendant
MARCUS JAMES TATUM

ORDER

IT IS ORDERED that:

- 1) A change of plea hearing is set for **Monday, December 11, 2023, at 8:30 a.m. in Courtroom 5 before the District Judge;**
- 2) The trial date currently set for January 30, 2024, is vacated;
- 3) The trial confirmation hearing currently set for January 16, 2024, is vacated.

IT IS SO ORDERED.

Dated: November 28, 2023

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE